

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

AZAD KABIR,	*	
	*	
Plaintiff,	*	
	*	
vs.	*	CASE NO. 4:25-CV-130 (CDL)
	*	
WEBMD, LLC,	*	
	*	
Defendant.	*	

O R D E R

The Court previously granted Plaintiff's motion for leave to file his second amended complaint. Plaintiff missed the filing deadline and filed a motion for leave to file his second amended complaint out of time. The motion (ECF No. 24) is granted. **Plaintiff shall file his second amended complaint by August 28, 2025.**

Plaintiff is reminded that the second amended complaint shall comply with the form of pleadings set out in Federal Rule of Civil Procedure 10, including the requirement for sequentially numbered paragraphs. Although outline headings are acceptable, Plaintiff should not use unnumbered bullet points or restart the numbering for each section at "1."

The Court notes that Plaintiff has filed many exhibits on the docket, most of which are linked to the original complaint. Plaintiff is reminded that the second amended complaint will be

the operative complaint in this action and that it will supersede all prior pleadings. For the sake of clarity, it would be ideal for all exhibits referenced in the second amended complaint to be attached to the second amended complaint. If that is not possible, then the second amended complaint should provide a clear reference to any exhibits that are incorporated by reference into the second amended complaint by exhibit number and docket number. The Court will not consider any exhibit that was filed on the docket before the date of the second amended complaint unless the exhibit is clearly referenced in the second amended complaint by exhibit number and docket number. After the second amended complaint is filed, any future exhibits not attached to a pleading (as defined by Federal Rule of Civil Procedure 7) will be regarded as "discovery" subject to Local Rule 5.1. Discovery should only be filed on the docket if it is necessary in connection with a motion.

In addition to his motion for leave to file his second amended complaint out of time, Plaintiff seeks leave to file Exhibit 33 under seal. Based on the Court's review, Exhibit 33 is a settlement demand letter from Plaintiff to Thoughti, Inc. Plaintiff did not offer any explanation why it is necessary or proper for him to file this correspondence on the docket. Accordingly, because Plaintiff offered no reason why Exhibit 33 should be part of the docket at all, he shall not file it, and the Court denies the motion to seal as moot (ECF No. 23).

The Court encourages Plaintiff to review the Court's local rules and the Court's Administrative Procedures for Electronic Filing. Plaintiff is reminded that if he fails to abide by these rules and procedures, his electronic filing privileges may be revoked.

Also pending before the Court is Defendant WebMD LLC's motion for an extension of time to answer the first amended complaint, which will be superseded if Plaintiff files his second amended complaint. The motion for an extension (ECF No. 25) is granted. If Plaintiff does not file his second amended complaint by August 28, 2025, then Defendant WebMD LLC shall answer or otherwise respond to the first amended complaint by September 4, 2025. If Plaintiff files his second amended complaint by August 28, 2025, then Defendant WebMD LLC shall answer or otherwise respond by the deadline established by the applicable rules.

IT IS SO ORDERED, this 14th day of August, 2025.

S/Clay D. Land

CLAY D. LAND

U.S. DISTRICT COURT JUDGE

MIDDLE DISTRICT OF GEORGIA